

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

DRAPER SCOTT TERRY, #254844,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action No.2:08cv833-TMH
	)	(WO)
STATE OF ALABAMA, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**ORDER**

The Magistrate Judge filed a Recommendation (Doc. #3) in this case to which no timely objections have been filed. After a review of the Recommendation, and after an independent review of the entire record, the Court believes that the Recommendation should be adopted. Accordingly, it is

ORDERED that the RECOMMENDATION (Doc. #3) of the Magistrate Judge is ADOPTED. The petition for writ of mandamus is hereby DISMISSED for lack of jurisdiction.

An appropriate judgment will be entered.

Done this 16<sup>th</sup> day of December, 2008.

/s/ Truman M. Hobbs

UNITED STATES DISTRICT JUDGE